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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,693	10/16/2001	Jonathan S. Stamler	Duke 1931	3762

7590 08/11/2003

Ivor R. Elrifi, Esq.
Mintz, Levin, Cohn, Ferris Glovsky and Popeo PC
One Financial Center
Boston, MA 02111

EXAMINER

LAMBERTSON, DAVID A

ART UNIT	PAPER NUMBER
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1636

DATE MAILED: 08/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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EXAMINER

David A. Lambertson

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Commissioner of Patents

The communication filed **May 19, 2003 as Paper No. 7** is not fully responsive to the Office communication mailed **March 19, 2003 as Paper No. 3** because the amendment to the claims does not comply with either the previous or revised rules for amendments. Applicant has attempted to comply with the revised rules by supplying only one (marked up) copy of the amendment. In order for the amendment to comply, however, *all* claims that were pending *at any time* in the case must be included in the amendment. Specifically, the claims and their status must be stated clearly in a complete set of the claims, including those claims that are/were cancelled and/or those claims that are/were withdrawn. In the instant case, applicant needs to come in and specifically list claims 11 and 12, even if the claims are cancelled or withdrawn. Without a listing of the claims in full text (if they are still pending) or listed parenthetically as cancelled, the record is unclear as to whether the claims are still pending or are cancelled, since the amendment as filed under the new rules constitutes a complete replacement of the previous claims.

Applicant is given a **TIME PERIOD** of **ONE (1) MONTH** or **THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to submit an amendment in compliance with 37 CFR 1.121, effective, March 21, 2001, in order to avoid abandonment.

EXTENSIONS OF THIS TIME MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication should be directed to Examiner **David A. Lambertson**, Art Unit **1636**, whose telephone number is (703) 308-8365.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

David A. Lambertson
Examiner, Art Unit 1636

David A. Lambertson
DAVID A. LAMBERTSON
PRIMARY EXAMINER